**AMENDMENT TRANSMITTAL LETTER**Docket No.
SPINE 3.0-2678Application No.
10/004,969Filing Date
December 3, 2001Examiner
P. PhilogeneArt Unit
3732

Applicant(s): Stephen Bresina

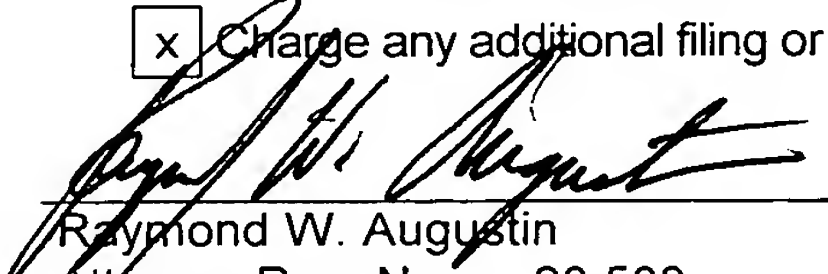
Invention: APPARATUS FOR FUSING ADJACENT BONE STRUCTURES

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

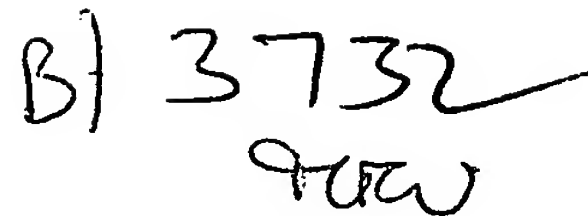
CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	23	- 23 =		x	
Independent Claims	4	- 4 =		x	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					0.00

☒ Large Entity☐ Small Entity☒ No additional fee is required for this amendment.☐ Please charge Deposit Account No. _____ in the amount of \$ _____.
A duplicate copy of this sheet is enclosed.☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-1095
as described below. A duplicate copy of this sheet is enclosed.☒ Credit any overpayment.☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.
Raymond W. Augustin
Attorney Reg. No.: 28,588Dated: March 9, 2005LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 518-6318

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: March 9, 2005

Signature:  (Raymond W. Augustin)



Docket No.: SPINE 3.0-2678
(PATENT)

Signature:

(Raymond W. Augustin)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Group Art Unit: 3732

Examiner: P. Philogene

For: APPARATUS FOR FUSING ADJACENT
BONE STRUCTURES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION
AND AMENDMENT**

Dear Sir:

In response to the official action mailed February 28, 2005, Applicant submits the following amendments and remarks.